

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA                  )  
    )  
    )  
v.    )       Crim. No. 18-cr-10345-RGS-JGD  
    )  
NICOLE A. LESCARBEAU,                    )  
    )  
Defendant                                    )

**ASSENTED-TO MOTION TO CONTINUE  
THE DECEMBER 9, 2020 SENTENCING HEARING**

The United States of America, by Andrew E. Lelling, United States Attorney, respectfully requests that the Court continue the sentencing hearing currently scheduled for December 9, 2020, *see* Dkt. 67, to a date convenient to this Court on or after January 20, 2021. Counsel for the defendant assents to this request.

On December 2, 2020, the defendant, Nicole A. Lescarbeau, in this above-captioned matter was charged in criminal complaint with one count of bank fraud in connection embezzling approximately \$56,000 from a non-profit. *See* 20-mj-4322 at Dkt. 1. Earlier today the defendant was arrested in connection with this new offense, and the criminal complaint was unsealed. *See id.* at Dkt. 7.

Given these developments, a brief continuance of the defendant's sentencing hearing is necessary for the Probation Office and the parties to determine how this new charge and criminal conduct will affect the sentence imposed in this matter, including, but not limited to, the impact on the plea agreement, sentencing guidelines, and the sentencing factors set out in Title 28, United States Code, Section 3553(a).

Accordingly, the United States respectfully requests that the Court continue the defendant's

sentencing hearing currently scheduled for December 9, 2020, to a date convenient to this Court on or after January 20, 2021.

Respectfully submitted,

ANDREW E. LELLING  
United States Attorney

Dated: December 3, 2020

By:



JUSTIN D. O'CONNELL, BBO No. 683695  
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**CERTIFICATE OF SERVICE**

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

Dated: December 3, 2020

By:



JUSTIN D. O'CONNELL  
Assistant United States Attorney